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**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION**

PERSONALWEB TECHNOLOGIES, LLC,  
 AND LEVEL 3 COMMUNICATIONS LLC,

Plaintiff,

vs.

FACEBOOK, INC.

Defendant.

Case No 5:13-cv-01356 (EJD)

**JOINT STATUS REPORT RE STATUS  
 OF RELEVANT REVIEW  
 PROCEEDINGS**

DATE: N/A  
 TIME: N/A  
 PLACE: N/A

1 By its January 13, 2014, Order Granting Defendants' Motions to Stay; Denying  
 2 Facebook's Motion to Dismiss without prejudice, the Court ordered that "[t]he parties in each  
 3 case shall submit a joint status report apprising the court of the status of the relevant review  
 4 proceedings on July 13, 2014, and every six months thereafter. These reports shall be filed as  
 5 separate docket entries on ECF/PACER." Doc. No. 55 at 12.

- 6 • Apple: On September 20, 2013, a defendant in another PersonalWeb matter  
 7 (Apple, Inc.) filed a petition with the PTO requesting review of various claims. Of  
 8 these claims, the following are at issue in this case: '310 Patent: Claims 70, 81, 82,  
 9 and 86. The PTO instituted this petition on March 26, 2014.
- 10 • Rackspace: On October 11, 2013, a defendant in another PersonalWeb matter  
 11 (Rackspace, Inc.) filed petitions with the PTO requesting review of various patents  
 12 and claims. On October 28, 2014, the PTO terminated these IPRs as to all parties  
 13 as a result of a joint motion to dismiss filed by Rackspace and PersonalWeb after  
 14 settlement between the parties.
- 15 • Unified Patents: On April 28, 2014, an entity not party to any of the PersonalWeb  
 16 actions – Unified Patents Inc., petitioned for IPR of the '791 patent and sought to  
 17 join its proceeding with the pending IPR concerning the same patent initiated by  
 18 Rackspace and described above. On July 24, 2014, the PTO denied institution of  
 19 this IPR.
- 20 • EMC and VMWare: On May 15, 2014, the Patent Trial and Appeal Board issued  
 21 decisions in the six IPRs instituted on May 17, 2013, finding all of the asserted  
 22 claims of the '791 Patent in this case invalid. On May 20, 2014, pursuant to 35  
 23 U.S.C. §§ 142 and 37 C.F.R. § 90.2(a), PersonalWeb appealed all six of the  
 24 Board's May 15, 2014, decisions to the Federal Circuit. PersonalWeb filed its  
 25 opening brief on November 7, 2014. The parties anticipate that all briefing will be  
 26 completed by the end of this month.

- Google/YouTube: On June 18, 2014, Google petitioned for IPR of various patents and moved for “discretionary” joinder of the Rackspace IPRs described above. *See* 37 C.F.R. § 42.122(b) (“Any request for joinder must be filed [] no later than one month after the institution date of any *inter partes* review for which joinder is requested.”); 37 C.F.R. § 42.5 (“The Board may waive or suspend a requirement of parts 1, 41, and 42 and may place conditions on the waiver or suspension.”). On October 28, 2014, the PTO denied Google’s request to institute new IPRs and for joinder.
- Google/YouTube: On October 23, 2014, Google requested reexamination of claims 25 and 33 of the ‘662 patent [No. 90/013,379], and claim 125 of the ‘096 patent [No. 90,013,378]. The PTO declined to review claim 33 of the ‘662 patent. On December 3, 2014, the PTO granted review of claim 125 of the ‘096 patent.

In light of the current status of the relevant review proceedings, neither party requests to lift the stay at this time.

Dated: January 13, 2015

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 13, 2015, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of California, using the electronic filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

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